

PICATINNY FEDERAL CREDIT UNION,

Plaintiff,

v.

FEDERAL NATIONAL MORTGAGE
ASSOCIATION,

Defendant.

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

Hon. Garrett E. Brown

Consolidated Civil Action
No. 09-01295 (GEB)

SPERRY ASSOCIATES FEDERAL CREDIT
UNION,

Plaintiff,

v.

FEDERAL NATIONAL MORTGAGE
ASSOCIATION,

Defendant.

NOTICE OF MOTION OF PLAINTIFF
PICATINNY FEDERAL CREDIT
UNION FOR PARTIAL SUMMARY
JUDGMENT ON LIABILITY

FEDERAL NATIONAL MORTGAGE
ASSOCIATION,

Plaintiff,

v.

PROPONENT FEDERAL CREDIT UNION,

Defendant.

SUFFOLK FEDERAL CREDIT UNION,

Plaintiff,

v.

FEDERAL NATIONAL MORTGAGE
ASSOCIATION,

Defendant.

TO: ALAN E. KRAUS, ESQ.
Latham & Watkins LLP
One Newark Center, 16th Floor
Newark, New Jersey 07102
Attorneys for Defendant in Picatinny action
Federal National Mortgage Association

SIR:

PLEASE TAKE NOTICE that, on Tuesday, February 22, 2011, at ten o'clock in the forenoon, or as soon thereafter as counsel may be heard, plaintiff Picatinny Federal Credit Union ("Picatinny"), through its attorneys, Saiber LLC, shall move before the Honorable Garrett E. Brown, Jr., Chief Judge of the District Court, Clarkson S. Fisher Federal Building & U.S. Courthouse, 402 East State Street, Trenton, New Jersey, for an Order, pursuant to Rule 56(a) of the Federal Rules of Civil Procedure, granting partial summary judgment in favor of Picatinny and against defendant Federal National Mortgage Association ("Fannie Mae") as to liability on the First Count of the Amended Complaint for conversion of promissory notes underlying 52 first mortgage loans Picatinny made to its members, and on the Second Count of the Amended Complaint for a judgment declaring that Fannie Mae does not have any right to enforce the notes and related mortgages and requiring Fannie Mae to return the notes and mortgages to Picatinny.

PLEASE TAKE FURTHER NOTICE that, in support of the motion, plaintiff Picatinny shall rely upon the Statement of Material Facts As To Which There Is No Genuine Issue, Affidavit of James H. Forte, Affidavit of Bill Darling, Affidavit of Michael J. McGrath and Brief submitted in support hereof.

PLEASE TAKE FURTHER NOTICE that plaintiff Picatinny, pursuant to Local Civil Rules 7.1(b)(4) and 78.1(b), hereby requests oral argument on its application.

SAIBER LLC
Attorneys for Plaintiff
Picatinny Federal Credit Union

By: /s/ James H. Forte
JAMES H. FORTE
A Member of the Firm

Dated: December 15, 2010